



STATE BOARD OF CORRECTIONS

POLICY NUMBER: 10-7

SUBJECT: Negotiations With Low Bidder

DATE: July 16, 2003

- 10-7.1 **POLICY.** Section [2.2-4318](#) of the Code of Virginia permits a public body to negotiate with an apparent low bidder if the bid exceeds available funds. Such negotiation may be undertaken only under conditions and procedures described in the "Agency Procurement Surplus Property Manual" published by Virginia Department of General Services/Division of Purchasing and Supply.

Negotiations shall be designed to bring the bidder into the range of available Department funds. Negotiations shall not result in these funds being exceeded.

The Department shall, subject to approval by the Board, develop conditions and procedures by which negotiations with the lowest responsible bidder may take place.

- 10-7.2 **AUTHORITY.** Code of Virginia, Sections
[53.1-5](#), Powers and duties of Board
[2.2-4318](#), Negotiation with lowest responsible bidder

- 10-7.3 **REFERENCES.**

Department of General Services/Division of Purchasing and Supply - [Agency Procurement and Surplus Property Manual](#)

- 10-7.4 **IMPLEMENTING PROCEDURE.** Department Operating Procedures
Department Procedure 3-2, Construction and Maintenance
Department Procedure 7-1, Procurement of Goods and Services

- 10-7.5 **EFFECTIVE DATE.** July 16, 2003.

- 10-7.6 **SUPERSESSSION.** This policy supersedes Board Policy 10-7, dated September 17, 1998.

- 10-7.7 **REVIEW DATE.** This policy must be reviewed and updated as necessary.

Adopted by the Board of Corrections on May 21, 2003.

Signature Copy on File

Sterling C. Proffitt
Acting Chairman
Board of Corrections